GENERAL AND REVENUE SECRETARIAT.

1905.

(III Legs)

File No. 1 – 05

Serial Nos. 5, 10, 11, 12.

(9)

Papers Filed.

Month October 1905.

SUBJECT.

Purchase of books, publications etc.

PREVIOUS REFERENCES.	LATER REFERENCES.

G. R. S. 11] 1905.

GENERAL AND REVENUE SECRETARIAT

(~~Boards~~ Legislative)

NOTES.

File No. 1

FILE HEADING.

Purchase of books, publications &c

From

Mr. C. H. Vakil, Subordinate, Bulsar Sanat

No. — Dated 29/7/05 Received 1/8/05

Diary No. 3285 | Enclos. one Spare Copies. — | Serial No. 5

BRIEF ABSTRACT OF LETTER.

Forwards a copy of his Comprehensive Criminal Digest (1904) & requests that a few copies thereof may be purchased for the use of the Courts in this State

NOTES AND ORDERS.

Sd
2/8/05

Send for orders
2/8/05 Sd 4/8/05

Send to the Chief Court for favour of its opinion.

Draft sent
2/8/05 Sd 7/8/05

Leeds 4/8/05

It is sufficient if the
brief notice of the
Judges administering the Oath Law
be that they may buy it if so minded &c
W. E. 8.1905

Notes on First sheet.

Please write
Secretary's

MGCPB—30,000—17-2-05

Serial No. 10

From the Registrar Chief Court No. 7638 Dated 11.8.05.

Forwards the above extract & requests that it may be brought to the notice of the judges administering Criminal Law.

11

From the Registrar of the Chief Court. Mysore No. 1260/56 of 25/8/05.

Returns the book & states that though it is not up to date & not necessary for judges administering the Criminal Laws & subordinates. May the Editor be informed that this fact does not require any copies at present & the book be returned?

25/8/05

29/8/05

29/8/05

Draft Send

30/8/05

30/8/05

Papers to

7.9.1905

File 5/9/05

12

To

Mr. G. H. Vakil, Sub-Judge Bulsar, Surat

Letter no. 720 dated 4.9.05

states that book cannot purchase any copies of his Digest.

Lg 2-1-05 —o—

J 289

C. M. VAKIL
SUB-JUDGE,
BULSAR.

From

Chimilal Hamdal Vakil,
Sub-ordinate Judge, Bulsar;
Surat District

To

The Secretary to the
Government of Mysore,
Bangalore.

111 Encls
Receipt
1/8/05

Dated Bulsar, The 29th July 1905.

112 Sir,

I have the honor to send you
today, by book-post a copy of my com-
prehensive Criminal Digest,
(Edition 1904) from a few of the
Specimens, enclosed herewith, you
will be good enough to see that the
work has been unanimously
pronounced to be the best on the
subject & that it has no equal
in the field" by High Court Judges,
Sessions Judges, District Magistrates,

Received
Sir
1/8/05

Barristers, Vakils, Public prosecutors
& the legal press all over India. The
Government of the Punjab has been
pleased to sanction its purchase
for the use of its Courts by its Resolution
(Home / Judicial) No. 761 dated the 10th May 1901.
The Governments of Madras &
Assam, the Chief Court of Burma,
the Nizam's Court of Baroda, and
good many Native states, e.g. Udepur,
Cutch, Kashmir, Bhavnagar, Porbandar, Limbdi,
Baria, Vansda, Radhanpur &c
have extended their patronage to
this work by purchasing several copies.
I shall feel much obliged if you
will be good enough to purchase a
few copies of this work for the use
of the Courts in your state.

I beg to remain,
Sir,
Your most obedient Servant
C. Narayan Rao

PLEASE TO CIRCULATE THIS AMONG YOUR FRIENDS.

IN THE PRESS. THE WILL BE SHORTLY OUT.

COMPREHENSIVE CRIMINAL DIGEST.
1862-1903.

BY

CHUNILAL HARILAL VAKIL, B. A., LL. B.,

Subordinate Judge, Dhandhuka; First Class Magistrate, Ahmedabad.

This Digest contains all the criminal cases decided by the four High Courts and the unchartered High Courts in the Punjab, Oudh, Central Provinces, and Burma, reported in the four series of the Indian Law Reports, Bengal Law Reports, Madras H. C. Reports, Bombay H. C. Reports, N. W. P. High Court Reports, Calcutta Law Reports, Indian Jurist, Weekly Reporter, Haye's Reports, Hyde's Reports, Marshall's Reports, Coryton's Reports, Agra H. C. Reports, Moore's Indian Appeals, Law Reports, Indian Appeals. Criminal Rulings of the Bombay High Court, Calcutta Weekly Notes, Allahabad Weekly Notes (1899-1903), Bombay Law Reporter, Madras Law Journal, Joy Govind Shome's Reports, Bourke's Reports, Burma Select Judgments, Lower Burma Rulings, Upper Burma Rulings, Burma Law Reports, Punjab Law Reporter, Punjab Records, Central Provinces Reports, and Oudh Select cases, together with important cases from 1802 to 1862 decided by the **Sudder Fouzdaree Adawlut** and **Nizamut Adawlut.** It contains rulings from more than 360 volumes, while the greatest existing digest contains rulings from about 250 volumes only. It contains a complete index of all cases followed, overruled, or otherwise judicially noticed in these reports.

Price Rs. 17.—To subscribers before the 31st August, Rs: 13.

For the use of the purchasers of my Digest published in 1900, a supplement containing rulings in the above named reports from 1899 to 1903, is published separately.

Price (of the supplement only) Rs. 4.—To subscribers before the 31st August, Rs. 3.

Apply to any bookseller, or The Compiler, Dhandhuka.

The Government of the Punjab has sanctioned the purchase of the Comprehensive Criminal Digest for the use of its Courts, by its Resolution $\left(\frac{Home}{Judicial}\right)$ *No. 761 dated the 10th May, 1901.*

OPINIONS.

His Lordship has no doubt but that it will prove a useful production. Secretary to the CHIEF JUSTICE, HIGH COURT, CALCUTTA.

I have now had an opportunity of looking into it. The work seems very complete and it will I am sure prove a useful and convenient book of reference to all concerned in the administration of the criminal law. SIR C. A. WHITE, C. J.

It seems to have been compiled with *great care and industry.* SIR L. H. JENKINS, C.J.

Your Criminal Digest, I am sure, I shall find useful. CANDY, J.

I have formed a **very favourable opinion** about the usefulness of your Criminal Digest of all the High Courts from 1862 to 1899. On the few occasions that I found it necessary to refer to the work, I was **struck** *by the care with which the selection was made* and I have no doubt that the work will prove useful in the hands of legal practitioners. RANADE, J.

Your Criminal Digest, I have no doubt, will be found useful to practitioners. BADRUDIN, J.

It appears to have been very carefully prepared and will, I feel sure, be most useful to all Judges and practitioners in criminal courts. FULTON, J.

Your Criminal Digest, I have no doubt, will prove very useful. RUSSELL, J.

It is an admirable compilation of the criminal rulings and reflects the greatest credit on your industry. I have already had occasion to refer to it and I am sure it would be found most useful by all Magistrates and Sessions Judges. CROWE, J.

I think it is a *most valuable compilation and well deserves its name* as it condenses into such a very portable little volume an **exhaustive** statement of the case law from **all authoritative sources** and its **arrangement is so clear and simple** that there is no difficulty in turning up the cases on any given point. BATTY, J.

I have now had time to make fair acquaintance with your Criminal Digest and I write to say that, in my opinion, it is a most useful work, compiled with great industry and ability. S. L. BATCHELOR, J.

I find the book very well got up and that it would no doubt be of much use to courts as well as practitioners. R. D. SETHNA, *Registrar, Appellate Side, High Court, Bombay.*

I have had just time enough to look into the Comprehensive Criminal Digest, and so far as I could judge it is very useful to the

practitioner. J. J. GAZDAR, *Master of Equity, High Court, Bombay.*

The book seems to me to be an admirable example of the rare and useful art of careful abridgement; to all those who have to refer much to criminal rulings its combined range and compactness should make it most welcome. Personally I even find the book entertaining and clear which is something in a law book. A. E. L. EMANUEL, *District and Sessions Judge.*

Your Criminal Digest, I dare say, I shall find useful. M. C. GUBB, *District Magistrate.*

Your Digest is an excellent book and no doubt it deserves the praise lavished on it. I have found it very useful. It is excellently got up, very nicely printed and is up to date. U. GHOSH, *Barrister-at-law, Chapra.*

It is a concise, careful, and well conceived compendium. It is in the real sense a Digest and not a mere ill-assorted and unwieldy mass of criminal rulings and head-notes. I have already put it to the test and found it very helpful. N. M. SAMARTH, *Vakil, High Court, Bombay.*

It is the **best Criminal Digest** I have ever come across. The arrangement of cases is excellent. GAYA PRASAD, *Vakil, H. C., N. W. P.*

I have gone through the work superficially and wonder how you could find so much time for the task. The Digest is no doubt very useful. You deserve credit for the work. VADILAL T., *Subordinate Judge.*

It cannot but be of extreme use to both the bench and the bar who have to deal with criminal law. It is far superior in composition and arrangement to the other Criminal Digests of which we have not a few. The system of citation is extremely commendable, for it reduces not only the bulk but makes the reference easier with the least waste of time. It cannot but earn you success and good name. K. N. DALAL, *Subordinate Judge.*

I have closely tested the usefulness of your Digest and compared it with several others in vogue and it gives me very great pleasure to say that you have taken immense trouble and time in preparing it. It is up to date, exhaustive and arranged with considerable skill. The reference is greatly facilitated by the new method of mentioning only the name of the accused; the appendix containing the list of cases judicially noticed in the subsequent reports adds in no small measure to the usefulness of the work. You have indeed supplied an existing want. A. V. MANYAR, *Public Prosecutor, Kathyawar.*

It is a pleasure to see that, although many of the Criminal offences mentioned in the Digest now before us are unfamiliar, the general lines followed in entitling and classifying the cases are those which are followed here. Judge Vakil's work, we are sure, will be regarded *in any part of the empire as an excellent one. The Canadian Law Times.* U. S. AMERICA.

The propositions are succinctly stated, and the work is very highly commended by Judges and other competent authorities in India. *Case and Comment.* U. S. AMERICA.

We welcome the "Comprehensive Criminal Digest" as *one of the best works* of its kind we have seen and we are sure that it will find its way up to the front rank of books of this class on its merits alone. The Digest contains reports of rulings of the High Courts from 1862 1899 and of the Privy Council between 1836 and 1899. In addition, many cases from Sudder Fouzdari Adalut and the Nizamut Adalut Reports are referred to in the Digest as also rulings from the reports of Hyde, Hyde, Shome, Coryton, Bignall, Perry, Macnaughten, Morris and the Indian Jurist. References to cases from the Punjab Record, the Bombay Printed Judgments, the Burma and the Central Provinces Reports are also available from this work. On the whole, **for completeness of treatment it has no equal in the field.** It is almost a work of supererogation to say that it will be found to be of the *greatest utility* to the Bench and the Bar all over India. The author deserves the highest praise for the *care and diligence which marks the book throughout.* There is *hardly any case* of importance in the vast field of the author's choice which he has *omitted* to notice. Yet we think that the head notes of cases might have been considerably compressed for the purpose of this Digest. The cross references given are very copious and practitioners possessing this book will be saved a great deal of time and labour in their search for authorities. *The Calcutta Weekly Notes.*

The comprehensive Criminal Digest by C. H. Vakil, B. A., LL. B. is a very valuable publication. This is the first work in which the rulings of nonchartered High Courts and Chief Courts have been incorporated in a Criminal Digest. Also the decision of the Adalut Courts prior to 1862 have been judiciously selected and inserted in the Digest. There is no doubt that considerable care has been used in arranging the various cases under their appropriate headings. As is very often the case, the head notes of the law reports have not been solely relied on. Many a practitioner knows how incomplete in some cases and how misleading in a few others is the head note of the reporter; and therefore Mr. Vakil has done real service to the profession by going behind the head notes of cases and by examining for himself the reports themselves. Further the principles involved are set out in clear language so that the busy practitioner may find out the reference easily. Another improvement noticeable in the publication in question is that when a decision lays down more than one proposition of law, the case is to be found mentioned with each of the propositions separately, instead of, as usual, giving cross references to pages in the digest. This must have involved considerable labour and thought and Mr. Vakil deserves the thanks of the profession for his valuable services in this matter. The learned compiler has also appended to this Digest a list of the cases judicially noticed. It is often necessary to know what the courts have to say of a decision after it has been once pronounced.

grouped under a leading case; old cases on the repealed Procedure Codes are—so far as they are relevant—collected under the sections of the present Code of the Criminal Procedure; statements of facts are clearly summarized; and all important rulings from 1802 to 1862 are incorporated in their appropriate places. In spite of its covering such vast ground, the bulk of the volume is kept within manageable dimension, on account of the improved method of citation and arrangement noted above. A full list of cases judicially noticed—an altogether new feature, cross-references, notes pointing out where any principles of law enunciated in any ruling have been altered or modified by express legislation, are some of the attractive features of the present compilation. The book which must have cost the compiler immense labour is the most meritorious production. It will for a time retain its position as the most compact, most comprehensive, and withal the most useful Digest of Indian Criminal Law up to the year 1899. It should find a place on the shelves of every lawyer's library in the country. *The Kayastha Samachar, Allahabad.*

The Comprehensive Criminal Digest—We welcome this new Digest by Mr. C. H. Vakil, Sub-Judge, Dholka and F. C. Magistrate, Ahmedabad, as a book supplying a long felt want. This digest is an improvement in many respects over all the existing criminal digests and promises to supersede them all. In the first place it is by far the greatest criminal digest yet published in India. It contains rulings not only of the four chartered High Courts but also of the unchartered High Courts of the Punjab, Central Provinces, Oudh, and Burma. Rulings from more than 300 volumes are collected in this digest, while no other digest contains rulings from more than 150 volumes. Notwithstanding this the size is a very moderate one. Instead of giving the names of rulings as Empress v. or Queen—Empress v. or Queen v. or Regina v. or Imperatrix v. the compiler has given only the names of the accused.[1] This arrangement will save much time of the practitioners when the book is referred to by them. They will not have now to refer to four or five places but to one place only to find out a case from its name. This improvement in citation is worth imitation. The compiler has again taken great care in arranging the principles of cases at their appropriate places. When one case decides more than one principle the general practice is to write down all the principles at every place or to write them at one place and ask the reader at other places to refer to the place where the case is fully given. This occupies space and takes the time of the reader uselessly. The present compiler has arranged all the principles each at its appropriate place. When one is in a hurry to find out authorities he is much vexed at this extra trouble imposed by other compilers. Practitioners will therefore much approve of the system followed by the present compiler. Cases deciding the same principle or laying down quite an opposite principle are very attractively collected under a leading case. Rulings under the old Procedures are as far as possible collected under the appropriate corresponding sections of the new Criminal Procedure Code (Act II of 1898). This also is a very desirable change. Useless statements of facts are omitted and the reader finds only what he wants and nothing less or nothing more. We howeve r would have much preferred the digest if all the rulings had been fully rewritten and the matter compressed in a shorter compass. Not a single case reported in any volume or digest from 1862 to 1899 is omitted in this digest. Besides this a selection is made of important cases from 1802 to 1862. A full list of cases which are judicially noticed in the cases digested in this book is given at the end. This addition which is a very useful one is also not to be found in any other criminal digest. Cross references are very freely given and afford great facilities for reference. Where any principle of law laid down in a case has been altered or amended by subsequent legislation the fact has been noticed in the digest and the unwary reader will not find himself in an awkward position as he sometimes does at present when he is told by the court that the case he cites is of little virtue as the law on the point has been changed by the legislature. *Lawyer, Ahmedabad.*

The book covers the whole period of Indian Reports up to 1899 inclusive. But for the exceedingly small type employed, it would be difficult to suppose that so much matter was compressed into this handy volume. The book contains nearly a thousand pages, and the arrangement seems to be everything that is desirable. The author deserves high praise for the enormous labour involved in the preparation of the book. *The Madras Law Journal.*

The scope of Mr. Vakil's Digest is, without doubt, wider than any other digest yet published. . . . The various titles are well chosen and the general arrangement of legal principles is clear and orderly. . . . On the whole, we are of opinion that, this work is superior in every respect, to the existing criminal digests. It must have cost a good deal of labour and industry on the part of the compiler and, it is likely to find a place in the library of any practitioner. We wish it every success. *The Bombay Law Reporter.*

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[1] They are the same as those used in Woodman's Digest.

The same High Court and sometimes the same judge or judges have to explain the meaning and intent (and we may say the limitation) of the dictum once pronounced. Other High Courts have had to comment upon such judgments. Consequently the value of a decided case very often depends upon the criticism which has been passed upon it since its publication in the reports. We are therefore of opinion that not the least important attraction of the Digest before us is the supplement which Mr. Vakil has very carefully compiled. We have nothing but praise for the work turned out by the author. Having regard to the usefulness of the publication which has been rendered as reliable and complete as it is possible to render a digest, we feel sure that the work will be largely availed of by the profession. In the mofussil where the very rare reports digested in the volume are not easily available the work will be of incalculable use to the practitioner. The printing and get up have been neatly executed. *The Indian Law Reports, Madras.*

To those who have anything to do with the criminal law in India, either as administrators or practitioners, this book should prove a most useful companion. It was a king who said that if he asked a legal question of a layman, he found that he neither knew the law nor where it could be found; whereas if he asked the same question of a lawyer he observed that he also did not know the law, but that he did know where to find that law. There is doubtless a good deal of truth in this royal dictum and "learned in the law" will therefore welcome **"The Comprehensive Criminal Digest"** as a further aid in assisting them to discover what the law is in matters criminal. The book seems to have been very carefully compiled. Besides containing the criminal cases decided in the Calcutta, Bombay, Madras and Allahabad High Courts from 1862 to 1899 the author has included cases decided by the Sudder Fouzdari Adawlut and the Nizamat Adawlut as well as cases decided by the unchartered High Courts in the Punjab, Oudh, Burma and the Central Provinces. The cases are arranged under their appropriate headings; cases enunciating the same principle have been grouped together, the principle enunciated is first laid down and the cases enunciating such principle are noted below; cases enunciating several principles of law have been divided into so many parts and each part arranged under its appropriate heading. The author claims for this Digest that it contains the greatest number of criminal cases ever published in any digest of its kind and notwithstanding this the size of the book has been kept down to very moderate dimensions. The laborious task undertaken by the author in compiling this work appears to us to have been excellently performed and we have much pleasure in recommending the work to those interested in the criminal law of India.

Bombay Gazette.

A complete and comprehensive digest of criminal rulings has long been a desideratum to the legal profession in India. Mr. Hume's Criminal Digests of which now three volumes are out, are arranged on a principle which has not found favour with the profession; and besides it is not very convenient to be hunting over three volumes for the rulings on a particular point. Mr. Cranenburgh—that indefatigable law book compiler—brought out a digest of the Weekly Reporter, the Calcutta Law Reports and the Indian Law Reports up to 1892, and these he has supplemented by the issue of an annual criminal digest; but the trouble of looking through so many supplements is enormous, and there was an absolute need to the profession of a comprehensive, up to date digest of criminal rulings. This need Mr. Vakil has tried to remove, and I am glad to welcome it as a book supplying a long felt want. It [illegible] in the compilation of criminal [illegible] in the country and [illegible] of practice. To begin with, it is by far the most comprehensive Criminal Digest yet issued in India. It embraces the rulings from the earliest dates not only of the chartered High Courts, and the Courts they have superseded, but it also contains the rulings of all the unchartered High Courts of the Punjab, Oudh, Central Provinces and Burma. The number of volumes of the reports which are digested in the present volume is more than 300—twice as many volumes as are comprised in any of the digests published so far. As to its arrangement the method adopted by the author of citing each case under the name of the accused, of the applicant in the case, is surely a great improvement on the previous cumbrous and confusing method of citing cases under various terms *e. g.* Queen *versus* or Empress *versus* or Regina *versus* or Imperatrix *versus* so and so. That style used to necessitate reference to four or five places, whereas in Mr. Vakil's digest, only one reference will be necessary to get at the desired ruling—the method as such deserves acknowledgement and imitation in other digests. Apart from the simple method of citation introduced by the author, the way in which he has arranged the principles of the cases is very commendable. So far the practice followed has been either to write down all the principles laid down in a case at one place, and ask the reader at other places to refer to the place where the case is fully given, or to write down all the principles at every place in the digest, wherever that ruling may find a place. Mr. Vakil has been eminently successful in avoiding the Scylla of needless prolixity, on the one hand, and the Charybdis of undesirable condensation on the other. He has tided over the difficulty, by adopting the simple plan of arranging the principles, at their appropriate places. The time and trouble required in looking out for authorities in digests arranged on the old plan, will be considerably and materially lightened by the use of the present volume. Amongst minor improvements I notice that cases laying down the same or conflicting principles have been

G.R.S. 26]

5

File No. 1

Serial No. 10

Diary No. of letter replied to

No. 9438 / Leg. 1.

General and Revenue Secretariat
(Legislative)
, the 190 .

To

The Registrar of the Court
of Judicature, Madras.

Date of issue 11-8-1905

Signed by Mr. K.S. Lakshmanasekhara Iyer

Has the honor to forward herewith a copy of the Comprehensive Criminal Digest edited by Mr. C.V. Vakil, Sub Judge, Bellary and to request that the Government be furnished with the opinion of the High Court as to the publication in question and if necessary the terms on which the publication is advised. By order

[illegible]
Secretary

the publication may be brought to the notice of the Judges administering the Criminal Law so that they may buy them if so minded.

SFP
7/8/05

over.

SUBJECT.

No. 1380/58 Jud. Book-
Vol I - 05 V S(W) II

G. J 508

Bangalore, 25th August 1905.

From,

V. N. Rajaratna Moodeliar Esquire,
Reporter, Chief Court of Mysore

To

B. K. Venkatasaramayya Esquire,
Secretary to the Government of Mysore
General and Revenue Depte

Legis
111
27-8-05

Sir,

I am directed to return herewith the copy of the Comprehensive Criminal Digest edited by Mr. G. N. Vakil received with your docket No. J 430/Legis dated 11th August 1905 as it is not required by this Court.

I am to add that the book though good, is not up to date nor is it very necessary for Judges administering the Criminal Law.

I have the honor to be,

Sir,

Your most obedient Servant,

V. Raj Ratnam

Reporter.

52

G.R.S. 26]

7

File No. 1

Serial No. 12

*Diary No. of letter replied to*_____

No. J 120 Pm. one
Leg. 1—
separately

General and Revenue Secretariat
(Legislative)
the 5 9 —190 5

To
MRBs, Chimilal Harilal Vakil
Subordinate Judge, Surat
(Surat District)

Date of issue 9-9-05

Signed by Hon KS Chamier
Sekhara Nayar

In returning herewith
the copy of your "Comprehensive
Criminal Digest, 1862–1903", received
with your letter dated the 24 July
1905, I am directed to state that the
Govt. of H.H. the Maharaja do not
consider that the book is likely to be necessary for Criminal Courts
in the State, and regret they cannot
purchase any copies.
I have the

6
1-9-1905
for Secretary

No SW
30/8/08 8/05

over.

SUBJECT.